

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DOUGLAS SNYDER,

Plaintiff,

File No. 4:06-CV-70

v.

HON. ROBERT HOLMES BELL

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

**MEMORANDUM OPINION AND ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

This action comes before the Court on Plaintiff Douglas Snyder's objections to the Magistrate Judge's May 4, 2007, recommendation that the final decision of the Commissioner of Social Security denying Plaintiff's claim for disability insurance benefits ("DIB") be affirmed. This Court is required to make a de novo review upon the record of those portions of the Report and Recommendation ("R&R") to which objection has been made. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b).

Although Plaintiff objects generally to the Magistrate Judge's recommendation that the Commissioner's decision be affirmed, Plaintiff has not identified any specific portion of the R&R that is erroneous. Plaintiff has simply reiterated the arguments contained in his initial brief that the ALJ erred first, by relying on the vocational expert's answer to an

incomplete hypothetical question, and second, by failing to consider the Veteran's Administration's disability finding.

Both of these arguments are addressed in depth in the R&R. The Magistrate Judge rejected Plaintiff's first argument based upon his finding that the ALJ's credibility determination is entitled to deference, the credibility determination was supported by substantial evidence, and the ALJ is not required to include unsubstantiated limitations in his hypothetical question to the VE. The Magistrate Judge rejected Plaintiff's second argument based upon the fact that the VA disability finding was effective August 31, 2004, and did not purport to address whether Plaintiff was disabled on or before December 31, 2002, when Plaintiff's insured status expired. Plaintiff has not suggested that any of these findings was erroneous.

The Court is satisfied that the R&R accurately recites the facts and correctly applies pertinent law. Accordingly,

IT IS HEREBY ORDERED that the May 4, 2007, Report and Recommendation of the Magistrate Judge (Docket # 14) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the final decision of the Commissioner of Social Security denying Plaintiff's claim for disability insurance benefits is **AFFIRMED**.

Date: July 17, 2007

/s/ Robert Holmes Bell

ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE